

Lawmakers Work Across Party Lines to Clarify Federal Stalking Statutes and Increase Penalties for Offenders

WASHINGTON, D.C. – Today, Congresswoman Virginia Foxx (R-NC) joined Congresswoman Loretta Sanchez (D-CA) as the lead Republican on a tough new bill that would strengthen federal stalking laws to ensure victims are protected and offenders are punished. In addition to clarifying existing laws, H.R. 5662, the Simplifying the Ambiguous Law, Keeping Everyone Reliably Safe (STALKERS) Act of 2010, would give law enforcement authorities the tools they need to prevent and prosecute stalking in the digital age.

“Physical stalking, cyberstalking, and other acts of intimidation are serious crimes that deserve serious consequences,” said Rep. Sanchez. “But the reality is our laws don’t do enough to protect victims and empower prosecutors. This bill would strengthen existing laws to ensure all forms of harassment are taken seriously in the eyes of the law.”

“Federal stalking laws are long overdue for an update,” Rep. Foxx said. “This important bill ensures that law enforcement has the tools to protect the vulnerable and fully prosecute all forms of stalking.”

Currently, federal laws are focused on “conventional” acts of stalking (following someone across state lines, sending unsolicited mail, or making harassing phone calls). But with the advent of cyberstalking and other forms of electronic harassment, these protections are simply not enough. The STALKERS Act would increase the scope of existing laws to cover acts of electronic surveillance, such as spyware, bugging, video surveillance, and other new technologies as they develop.

The bill would also empower law enforcement to prosecute any act of stalking that is “reasonably expected” to cause another person serious emotional distress. Currently, federal laws cannot be enforced unless a victim demonstrates a reasonable fear of physical injury, but stalking victims often do not recognize significant threats until it is too late for law enforcement to intervene. The STALKERS Act would give authorities the power to stop stalkers even if a victim is not fully aware of the danger he or she may be facing.

Finally, the STALKERS Act would expand the scope of federal stalking laws to give the broadest possible mandate to federal law enforcement. The bill increases the punishment for stalking offenses in certain special cases: for stalking in violation of a protective order and stalking that targets minors or the elderly. In all three cases, the maximum sentence increases by five years. The bill also requires the Attorney General to annually evaluate federal, state, and local efforts to enforce stalking laws, and submit an annual report on what works – and what *do esn't* work – in the enforcement of these laws.

The STALKERS Act recently received the full endorsement of the National Center for Victims of Crime.